

FILED

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RICHARD H. WILKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

(PR)

CRB

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Charles Edward Lyons, II

Plaintiff,

vs.

D.K. Sisto, Warden
a person having custody
of petitioner

Defendant.

CASE NO.

3205

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

I, Charles Edward Lyons, II, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☐ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

1 and wages per month which you received. (If you are imprisoned, specify the last place of
 2 employment prior to imprisonment.)

3 C.D.F.
 4 _____
 5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
 7 sources:

- 8 a. Business, Profession or Yes ____ No X
 9 self employment
- 10 b. Income from stocks, bonds, Yes ____ No X
 11 or royalties?
- 12 c. Rent payments? Yes ____ No X
- 13 d. Pensions, annuities, or Yes ____ No X
 14 life insurance payments?
- 15 e. Federal or State welfare payments, Yes ____ No X
 16 Social Security or other govern-
 17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
 19 received from each.

20 _____
 21 _____

22 3. Are you married? Yes ____ No X

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support : \$ _____

28 b. List the persons other than your spouse who are dependent upon you for support
 PRIS. APPLIC. TO PROC. IN FORMA

1 and indicate how much you contribute toward their support. (NOTE: For minor
2 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

3 _____

4 _____

5 5. Do you own or are you buying a home? Yes ____ No ☒

6 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

7 6. Do you own an automobile? Yes ____ No ☒

8 Make _____ Year _____ Model _____

9 Is it financed? Yes ____ No ____ If so, Total due: \$ _____

10 Monthly Payment: \$ _____

11 7. Do you have a bank account? Yes ____ No ☒ (Do not include account numbers.)

12 Name(s) and address(es) of bank: _____

13 _____

14 Present balance(s): \$ _____

15 Do you own any cash? Yes ____ No ☒ Amount: \$ _____

16 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
17 market value.) Yes ____ No ☒

18 _____

19 8. What are your monthly expenses?

20 Rent: \$ _____ Utilities: _____

21 Food: \$ _____ Clothing: _____

22 Charge Accounts:

23 Name of Account Monthly Payment Total Owed on This Acct.

24 _____ \$ _____ \$ _____

25 _____ \$ _____ \$ _____

26 _____ \$ _____ \$ _____

27 9. Do you have any other debts? (List current obligations, indicating amounts and to whom
28 they are payable. Do not include account numbers.)

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10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ____ No X
Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

June 20, 2008 Charles E. Lopez
DATE SIGNATURE OF APPLICANT

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIFORNIA STATE PRISON SOLANO
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN 01, 2008 THRU APR 04, 2008

ACCOUNT NUMBER : V76614 BED/CELL NUMBER: S212T2000000000000
ACCOUNT NAME : LYONS, CHARLES EDUARD ACCOUNT TYPE: 1
PRIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
3/07/2008	H118	LEGAL COPIES HOLD	3258-L/CPY	0.20
3/24/2008	H118	LEGAL COPIES HOLD	3527-L/CPY	0.20

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	0.40	0.00

CURRENT
AVAILABLE
BALANCE

0.40

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIFORNIA STATE PRISON SOLANO
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUL. 01, 2007 THRU OCT. 05, 2007

ACCOUNT NUMBER : V76614

BED/CELL NUMBER: S212T2000000229L

ACCOUNT NAME : LYONS, CHARLES EDWARD

ACCOUNT TYPE: I

RIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

TRUST ACCOUNT SUMMARY

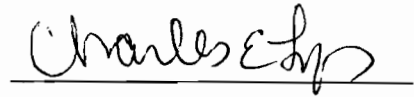
BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS- TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00
					CURRENT AVAILABLE BALANCE
					0.00

D E C L A R A T I O N

I, Charles Edward Lyons, II, declare that:

- 1) I wrote the Trust Office here at the institution by the institutional mail, to obtain a certified Certificate of Trust, per prison policy. I am still awaiting the signed certified copy that needs to be attached with this writ of habeas for proper filing.
- 2) I am a indigent, and I have had zero funds in my trust account for the past year to date.
- 3) As soon as I receive the certified copy of my trust account, I will forward it to the Courts Clerk.

I declare under the penalty of perjury that the above stated is true and correct.

A handwritten signature in cursive script, reading "Charles E. Lyons, II", written over a horizontal line.

Charles E. Lyons, II